

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

MARK RILEY,

Plaintiff,

v.

Case No. 2:12-06536

MOUNT OLIVE MEDICAL STAFF,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was previously referred to Mary E. Stanley, United States Magistrate Judge, who has submitted her Proposed Findings and Recommendation ("PF&R") pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B).

The court has reviewed the PF&R entered by the magistrate judge on November 15, 2012. The magistrate judge recommends that the court dismiss this action without prejudice for failure to prosecute.

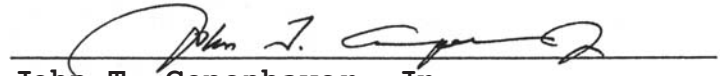
The plaintiff has not objected to the recommended disposition. Following a de novo review, it is, accordingly, ORDERED as follows:

1. That the PF&R be, and it hereby is, adopted by the court and incorporated herein;

2. That this action be, and it hereby is, dismissed without prejudice;
3. That the filing fee be, and it hereby is, waived; and
4. That this action be, and it hereby is, stricken from the docket.

The Clerk is directed to forward copies of this written opinion and order to the pro se plaintiff, all counsel of record, and the United States Magistrate Judge.

DATED: January 2, 2013


John T. Copenhaver, Jr.
United States District Judge